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SUBJECT: EGYPT FERRY DISASTER: ABSENT OWNER'S IMMUNITY
LIFTED; CAPTAIN LIKELY CULPABLE

REF: A. CAIRO 798
[B.](#) CAIRO 689

Classified By: Minister-Counselor for Economic and Political Affairs Michael Corbin for reasons 1.4 (b) and (d)

Summary

[¶](#)1. (C) The investigation into the early February sinking of the "Al Salam 98" passenger ferry in the Red Sea is ongoing, although preliminary GOE statements are assigning culpability to the still-missing captain. Egypt's upper chamber of parliament lifted ferry owner Mamoud Ismail's parliamentary immunity so that he may potentially face prosecution, but Ismail departed Egypt for London prior to the imposition of a travel ban. Opposition groups are criticizing the delay in lifting politically-connected Ismail's immunity, saying it is symptomatic of GOE mishandling the matter. President Mubarak secured the donation of six new high-speed ferries for the Red Sea routes from the KSA, Qatar and Libya, but it's not clear who will operate them. The lifting of Ismail's immunity is an important step towards a transparent investigation, but much more needs to be done to earn the public's confidence in the GOE's response to the tragedy.
End summary.

Investigation Ongoing, but Captain Culpable

[¶](#)2. (U) The investigation into the sinking of the "Al Salam 98" ferry, Egypt's worst maritime disaster, continues. The ship went down in the Red Sea east of the port of Safaga on the night of February 2 and claimed the lives of over 1,000 people. Minister of Transport Mohamed Mansour announced April 1 that the preliminary investigations related to the ship's "black box" data recorder revealed the ferry captain did not send out any distress or SOS calls, or order the ship's evacuation, until the ship had already begun to sink. This inaction, the Minister opined, was likely a result of the captain underestimating or neglecting the severity of an onboard fire. The captain has not yet been found. Other early indications from the investigation point to "serious safety violations" aboard the vessel. The Minister anticipates the investigations surrounding the data recorder, which are being conducted in the U.K., should conclude within the next several months, with prosecutors expecting a preliminary report in May. A final report should follow two

months thereafter. The investigative committee is comprised of Egyptian and International Maritime Organization (IMO) experts.

Owner's Immunity Lifted

¶3. (C) The ferry owner, Mamdouh Ismail, departed Egypt shortly after the disaster and has yet to return. In late March, the Shura Council, Egypt's upper house of parliament, approved a request from the Minister of Justice to strip Ismail of his immunity pending investigation, thereby allowing him to potentially face prosecution upon his return to Egypt. Ismail enjoyed immunity due to his appointment to the Council. Ismail is closely linked to Presidential Chief of Staff and Assistant Secretary General of the ruling NDP Zakaria Azmi, and also served as the chairman of the NDP's Heliopolis branch office. According to our contacts and local press reports, Ismail is currently staying in a London hotel (the Concord) in which he may have an ownership interest. Airport police reportedly denied Ismail's wife, Sawsan Abdel Aziz, departure at Cairo International Airport when she recently attempted to join her husband in London.

Opposition, Other Criticisms

¶4. (U) Opposition politicians are sharply criticizing the delay in lifting Ismail's immunity, and citing it as proof of NDP complicity in Ismail's attempt to escape possible prosecution. An early lifting of Ismail's immunity would have triggered travel restrictions and perhaps prevented his departure from Egypt, opposition politicians argue. Even in ruling party circles, some Shura Council members, including Chairman Safwat El-Sherif, have publicly criticized Ismail's departure and urged him to return to Egypt immediately.

¶5. (U) There have been a few small public protests (some organized by the political Kefaya movement) attacking perceived GOE complicity in the tragedy and failure to pay timely, adequate compensation to victims' families. Kefaya, along with twenty human rights organizations and sixty-five victims' families, filed a report against Ismail alleging he refused to give the captain permission to turn around once fire was discovered on board. The report also claims that required on-board safety and rescue equipment were not operational. Expressing their frustration at the GOE response, participants at a protest in front of the Egyptian Supreme Court chanted: "Alf masry matou ya nas wi el houkouma bidoun ihsas" (A thousand Egyptians have died and the government is without compassion.)

A New Ferry Fleet

¶6. (C) Concentrated personal lobbying by President Mubarak with Gulf leaders appears to have paid off in the form of a gift of six new high-speed ferries to service the Red Sea pilgrim and economic migrant routes. In an exclusive interview with a local newspaper, Mubarak announced that Saudi Arabia, Libya and Qatar offered to donate two ferries each to Egypt. The ships, which will be imported from Australia, each carry a price tag of approximately \$70 million and are rated for approximately 1,500 passengers. It is unclear who will operate the fleet, with Mubarak only stating that a "specialized company" will manage the ships and ensure their adherence to strict safety standards.

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